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PAPER NUMBER

CONFIRMATION NO FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE 09/272,958 03/19/1999 ALBERT D. BAKER 6333 **EXAMINER** 10/08/2003 **RYAN & MASON** YAO, KWANG BIN

90 FOREST AVENUE LOCUST VALLEY, NY 11560

2667 DATE MAILED: 10/08/2003

ART UNIT

Please find below and/or attached an Office communication concerning this application or proceeding.

	A 11 11 N		
Advisory Action	Application No.	Applicant(s)	
	09/272,958	BAKER ET AL.	
	Examiner	Art Unit	
The MAN INC DATE of this communication and	Kwang B. Yao	2667	
The MAILING DATE of this communication appe	ars on the cover sneet with the c	orrespondence addi	ress
THE REPLY FILED FAILS TO PLACE THIS APPL Therefore, further action by the applicant is required to ave final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114.	a timely filed amendment which	ation. A proper reply n places the applica	tion in
PERIOD FOR RE	PLY [check either a) or b)]		
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the control	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF THE date on which the petition under 37 CFI f extension and the corresponding amount shortened statutory period for reply the later than three months after the mail	g date of the final rejection REFINAL REJECTION. R 1.136(a) and the apprount of the fee. The appropriginally set in the final of	on. See MPEP opriate extension opriate extension Office action; or
1. A Notice of Appeal was filed on <u>02 September 2003</u> . 37 CFR 1.192(a), or any extension thereof (37 CFR			t forth in
2. The proposed amendment(s) will not be entered be	ecause:		
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);			
(b) they raise the issue of new matter (see Note b	elow);		
(c) they are not deemed to place the application ir issues for appeal; and/or	n better form for appeal by mate	rially reducing or sin	nplifying the
(d) they present additional claims without canceling	ng a corresponding number of fi	nally rejected claims	3 .
NOTE:			
3. Applicant's reply has overcome the following rejection	ion(s):		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	parate, timely filed a	amendment
5.⊠ The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.			
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY to	o issues which were	newly
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we			nd an
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed:			
Claim(s) objected to: <u>3.9-11,14 and 20-22</u> .			
Claim(s) rejected: <u>1,2,4-8,12,13,15-19 and 23-26</u> .	•		
Claim(s) withdrawn from consideration:			
8. The proposed drawing correction filed on is a	a) approved or b) disapp	roved by the Examir	ner.
9. Note the attached Information Disclosure Statemen	it(s)(PTO-1449) Paper No(s)		
10. Other:		KWANG BIN YA PRIMARY EXAMI	NER
		1	//

U.S. Patent and Trademark Office PTOL-303 (Rev. 04-01) Continuation of 5. does NOT place the application in condition for allowance because: the arguments filed on 8/28/03 are not persuasive and the cited prior art can still be applied to the rejected claims.